

REMARKS

Reconsideration is requested.

The specification is being amended to correct numerous minor typographical errors. No new matter is being added.

It is proposed to amend the drawings to label Figs. 1 and 2 "Prior Art" as required by the Examiner. A complete set of formal drawings incorporating the changes is enclosed.

Claims 14 and 18 have been amended to obviate the objections.

Claims 1-12 have been canceled to reduce the number of issues under consideration. Applicants reserve the right to file a continuation application directed to the subject matter of the canceled claims.

Claim 13 stands rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 5,751,570 to Stobbe et al. in view of U.S. Patent No. 5,742,618 to Lowe.

Claim 13 has been amended to clarify that upon determining an invalid data transmission, the interrogator informs all active transponders in the field that there was an incomplete read, the informing including suppressing the carrier.

It would not be proper to combine Stobbe et al. with Lowe because a) there is no teaching in the references which would suggest their combination, and b) even if they were somehow combined, they do not produce the structure claimed.

1 It would not be obvious to substitute a portion of the circuitry of
2 Stobbe et al. for portions of the structure of Lowe because there is no
3 teaching in the references themselves of how the circuits should be combined
4 or of which components of Lowe should be combined with which components
5 of Stobbe et al. There are no teachings in the references themselves which
6 teach that there would be any advantage resulting from selecting portions of
7 the structure of Lowe and electrically integrating that structure somehow into
8 the structure of Stobbe et al. The mere fact that the structures of the
9 references could possibly be somehow modified to result in the claimed
10 structure does not render the claimed structure obvious unless the references
11 themselves suggest the desirability of the modification.

12 “The mere fact that the prior art could be so modified would not have
13 made the modification obvious unless the prior art suggested the desirability
14 of the modification.” *In re Gordon*, 733 F.2d 900, 902, 221 U.S.P.Q. 1125,
15 1127 (Fed. Cir. 1984) [emphasis added].

16 The Stobbe et al. reference fails to teach or suggest an interrogator that
17 upon determining an invalid data transmission, informs all active transponders
18 in the field that there was an incomplete read, the informing including
19 suppressing the carrier.

20 The Lowe et al. reference fails to cure the deficiency of the Stobbe et
21 al. reference. There is no teaching or suggestion in the Lowe et al. reference
22 of an interrogator that upon determining an invalid data transmission, informs
23 all active transponders in the field that there was an incomplete read, the

1 informing including suppressing the carrier. While the Lowe et al. reference
2 discloses use of an excitation signal, it does not teach or suggest
3 communicating information by suspending a carrier.

4 Therefore, claim 13 is allowable.

5 As claims 14-24 depend on claim 13, they too are allowable.

6 New claims 25-35 have been added. Favorable consideration is
7 requested.

8 In view of the foregoing, allowance of claims 13-35 is requested. The
9 Examiner is requested to phone the undersigned in the event that the next
10 Office Action is one other than a Notice of Allowance. The undersigned is
11 available for telephone consultation at any time during normal business hours
12 (Pacific Time Zone).

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14 Respectfully submitted,

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16 Dated: April 1, 1999

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